

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- X
SKATTEFORVALTNINGEN,

Plaintiff,

v.

Jerome Lhote, Luke McGee and Matthew Stein,

Defendants.
----- X

Index No.

UPDATED AFFIDAVIT OF
CONFESSION OF JUDGMENT

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

We, Jerome Lhote, Luke McGee and Matthew Stein, being duly sworn, depose and say:

1. We are the defendants in the matter of *SKATTEFORVALTNINGEN v. Jerome Lhote, Luke McGee and Matthew Stein*. Jerome Lhote resides in Orange County, Florida, and authorizes entry of this Confession of Judgment in New York County. Luke McGee resides in Philadelphia County, Pennsylvania, and authorizes entry of this Confession of Judgment in New York County. Matthew Stein resides in New York County.

2. We hereby confess judgment and authorize entry of judgment against ourselves jointly and severally and in favor of the plaintiff in this Court, for the following amount (the "Judgment Amount"):

(a) the Subsequent Cash Payment Amount, which is the sum of six hundred million (600,000,000) Danish Kroner and the True-Up Amount determined pursuant to Section 2(e)(iii) of the Settlement Agreement, dated May 28, 2019, attached hereto as Exhibit A, (hereinafter "Settlement Agreement").



- (b) less any payments made through the Default Date to fund the Subsequent Cash Payment Amount pursuant to the Settlement Agreement,
- (c) plus Applicable Interest, calculated pursuant to Section 2(d)(ii) of the Settlement Agreement, as of the Default Date,
- (d) plus Applicable Interest, calculated pursuant to Section 5(d)(iii) of the Settlement Agreement.

3. We agree that the Judgment Amount shall be set forth in an affidavit to be executed by the plaintiff or an affirmation by such plaintiff's attorney, which shall be attached hereto at the time of entry of this Affidavit of Confession of Judgment (hereinafter, "Affidavit").

4. This confession of judgment is for a debt justly due to the plaintiff arising out of the following facts: The plaintiff and the defendants were parties (each individually, a "Party" and collectively, the "Parties") to the Settlement Agreement pursuant to which, among other things, the plaintiff agreed to release the defendants from all claims related to applications to reclaim taxes withheld from dividends paid on Danish company shares owned or allegedly owned by certain pension plans between 2012 and 2015, as to which Skatteforvaltningen paid an amount in excess of 4,100,000,000 Danish Kroner, in return for, among other things, the defendants' payment of the Final Settlement Amount pursuant to the terms set forth in the Settlement Agreement.

5. The Parties agree that in an Event of Default, pursuant to Section 5(c) of the Settlement Agreement, the plaintiff is authorized to file this Affidavit and seek immediate entry of judgment for the Judgment Amount set forth in this Affidavit.

6. This confession of judgment is not for the purpose of securing the plaintiff against a contingent liability.

7. We hereby consent to the jurisdiction of the Supreme Court of the State of New York, New York County, Commercial Division, the United States District Court for the Southern District of New York; and/or any other court or tribunal in any other jurisdiction, including any jurisdiction outside the United States, where assets belonging to us may be found.

8. We hereby consent to and agree to accept service of process related to this matter by regular United States mail at any location at which we, respectively, reside, or at our respective places of business, including, without limitation, to Marshall L. Miller, Esq., Kaplan Hecker & Fink LLP, 350 Fifth Avenue, New York, New York 10118.

Signed and sworn before me
this 9 day of June, 2021

[Redacted Signature]

Notary Public



By: [Redacted Signature]

Jerome Lhote

Signed and sworn before me
this ____ day of ____

Notary Public

By: _____

Luke McGee

Signed and sworn before me
this ____ day of ____

Notary Public

By: _____

Matthew Stein

Signed and sworn before me
this ____ day of ____

Notary Public

By: _____
Jerome Lhote

Signed and sworn before me
this 10th day of June, 2021

Notary Public

By: _____
Luke McGee



Signed and sworn before me
this ____ day of ____

Notary Public

By: _____
Matthew Stein

Signed and sworn before me
this ____ day of ____

Notary Public

By: _____
Jerome Lhote

Signed and sworn before me
this ____ day of ____

Notary Public

By: _____
Luke McGee

Signed and sworn before me
this 10th day of June, 2021

Notary Public

By: _____
Matthew Stein

ANNA ROJAS
Notary Public - State of New York
No. 01RO6147063
Qualified in Queens County
My Comm. Expires May 30, 2022